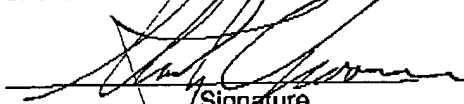


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RESPONSE UNDER RULE 116  
EXPEDITED HANDLING PROCEDURES  
FACSIMILE CERTIFICATE**

I hereby certify that this Amendment  
is being transmitted by facsimile to  
the Patent and Trademark Office on  
December 8, 2005, specifically to  
571-273-8300.

  
Signature  
Stanley C. Spooner  
Reg. No. 27,393

No. of pages transmitted (including  
this cover sheet): **13** pages

In re Patent Application of

Atty Dkt. 550-488  
C# M#

FLYNN

TC/A.U. 2863

Serial No. 10/715,593

Examiner: D. Pretlow

Filed: November 19, 2003

Date: December 8, 2005

Title: DATA PROCESSING PERFORMANCE CONTROL

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DEC 8 2005

**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment	41	minus highest number		
previously paid for	43	(at least 20) =	0 x \$50.00	\$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment	2	minus highest number		
previously paid for	4	(at least 3) =	0 x \$200.00	\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add  
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)

One Month Extension	\$120.00 (1251)/\$60.00 (2251)
Two Month Extensions	\$450.00 (1252)/\$225.00 (2252)
Three Month Extensions	\$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions	\$1590.00 (1254)/\$795.00 (2254) \$
	\$130.00 (1814)/\$65.00 (2814) \$

Terminal disclaimer enclosed, add

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee	\$180.00 (1806)	\$
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Assignment Recording Fee	\$40.00 (8021)	\$
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Other:		\$
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**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor  
Arlington, Virginia 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
SCS:kmm

NIXON & VANDERHYE P.C.  
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: 

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

FLYNN

Atty. Ref.: 550-488; Confirmation No. 6450

Appl. No. 10/715,593

TC/A.U. 2863

Filed: November 19, 2003

Examiner: D. Pretlow

For: DATA PROCESSING PERFORMANCE CONTROL

\* \* \* \* \*

December 8, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT UNDER RULE 116**

This Amendment is responsive to the Official Action mailed September 8, 2005 (Paper No. 20050902), the date of response to which is December 8, 2005.